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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,595	12/29/2000	Min Zhu	16440.4004	8830
34313 7590 08/10/2007 ORRICK, HERRINGTON & SUTCLIFFE, LLP IP PROSECUTION DEPARTMENT 4 PARK PLAZA SUITE 1600 IRVINE, CA 92614-2558			EXAMINER ALAM, UZMA	
			ART UNIT 2157	PAPER NUMBER
			MAIL DATE 08/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/751,595	ZHU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Uzma Alam	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

This action is responsive to the request for continued examination filed May 29, 2007.

Claims 1-29 are pending. Claims 1-29 represent a distributed meeting management system.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 6, 7, 12, 13, 18, 19 and 24-29 rejected under 35 U.S.C. 102(e) as being anticipated by Masters et al. US Patent No. 7,051,098 in view of Butler US Patent No. 6,584,493. Masters teaches the invention as claimed including a system for monitoring and reporting performance of hosts and applications (see abstract).

As per claims 1, 7, 13, 19, 25 and 26 Masters teaches a method, computer program, computer readable medium and computer data signal of distributed collaborative computing comprising:

partitioning a collaboration function into sub-functions (a plurality of host computers are connected to one another and instantiate applications 1-M; column 7, lines 19-67; column 5, lines 33-55)

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assigning at least one said sub-function to each of a plurality of logical processes (column 5, lines 55-57)

associating a respective management process with each of said logical processes, said logical processes configured so that each said logical process is capable of communicating with every other said logical process through said respective management process (each application has an instrument daemon and Host Monitor HMA; column 5, lines 56-60);

communicating between said logical processes using said respective management processes (column 5, lines 56-60; the HMA and the applications communicate between each other);

Monitoring said respective management processes with a single supervisor process to determine whether a quality of service is met; and (the Resource Management Architecture collects data from all the instrument daemons; column 5, lines 61-67; column 6, lines 1-40); and

when the quality of service is not met, spawning a new logical process, wherein the new logical process comprises a new collaboration server or a new application server. (program controller send startup orders to the program control agents based on operator or resource manager initiated orders; column 4, lines 8-16; column 6, lines 40-65; column 22, lines 1-27).

As per claims 6, 12, 18 and 24 Masters teaches a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19 wherein said logical processes are instantiated on at least one physical server (column 5, lines 40-50).

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As per claim 27, Masters teaches a method of claim 1, wherein the quality of service represents an ability to respond to data requests from clients (column 7, lines 33-45; column 8, lines 9-60).

As per claim 28, Masters teach the method of claim 1, further comprising:

Spawning a new management process (column 25, lines 55-67);

associating the new management process with the new collaboration server or new application server, wherein the new management process is configured so that the new collaboration server or new application server is capable of communicating with every other said logical process (column 26, lines 1-43).

As per claim 29, Masters teach the method of Claim 1, wherein the new collaboration server or new application server receives configurations, operating parameters and current meeting data from the supervisor process (column 10, lines 40-67; column 11, lines 1-10).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5, 8-11, 14-17 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masters et al. US Patent No. 7,051,098 in view of Butler US Patent No.

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6,584,493. Masters teaches the invention as claimed including a system for monitoring and reporting performance of hosts and applications (see abstract). Butler discloses the invention as claimed including a conferencing and collaboration system (see abstract).

As per claims 2, 8, 14 and 20 Masters teaches a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19. Masters does not teach wherein said collaboration function comprises real time conferencing. Butler teaches wherein said collaboration function comprises real time conferencing (column 9, lines 36-52). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the applications of Masters with the functions of Butler. A person of ordinary skill in the art would have been motivated to do this to enhance the functionality of the applications.

As per claims 3, 9, 15 and 21 Masters teaches a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19. Masters does not teach wherein said collaboration function comprises application sharing. Butler teaches wherein said collaboration function comprises application sharing (column 9, lines 52-65). A person of ordinary skill in the art would have been motivated to do this to enhance the functionality of the applications.

As per claims 4, 10, 16 and 22 Masters teaches a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19. Masters does not teach wherein said collaboration function comprises document sharing. Butler teaches wherein said

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collaboration function comprises document sharing (column 9, lines 52-65). A person of ordinary skill in the art would have been motivated to do this to enhance the functionality of the applications.

As per claims 5, 11, 17 and 23 Masters teaches a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19 wherein each said sub-function forms at least one logical server. Masters does not teach wherein said sub-function comprise collaboration serving, application serving, log serving, license management. Butler teaches wherein each said sub-function forms at least one logical server. Masters does not teach wherein said sub-function comprise collaboration serving, application serving, log serving, license management (column 11, lines 29-44). A person of ordinary skill in the art would have been motivated to do this to enhance the functionality of the applications.

### ***Conclusion***

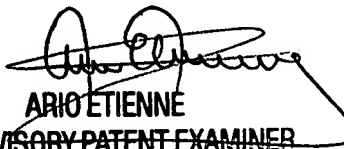
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam  
Ua  
July 26, 2007

  
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